1: Tew E-4 (no date) 1950 FT7 Yao FT7

Land Tenure

The rules governing land tenure were those which would be expected of a society which suffered from no land shortage. A man was entitled to as much land as he could cultivate, the limitation being that he should consult the headman as to his neighbours' boundaries. Abandoned gardens could only be taken up with the permission of the original cultivator.[1]

MAIN CULTURAL FEATURES

Religion

The Yao are largely Islamized. Codrington remarked that the perpetuation of this faith was distinctly antagonistic to British influence, and it received considerable attention from chiefs and headmen. Schools for the instruction of youth in reading and writing Swahili in Arabic characters were established in nearly every village, where also prayers were made at regular intervals in the day. The Moslem fasts and feasts were also observed, and the Yao were not inclined to embrace Christianity.[2] Their conversion to Islam did not take place till the nineteenth century, long after their first introduction to the Arab traders at Kilwa and Zanzibar, although they had adopted Swahili modes of dress much earlier.[3]

According to Hetherwick, Islam is strongest on the lake shore and on the east border of Nyasaland, chiefly round the old slave-trade centres. Makanjira's on the south-east side of the lake, and Domira Bay on the west, were the centres of Moslem propaganda. The Moslem population around Zomba and Blantyre consists mainly of Yao men, who have built themselves mosques in their own villages, or use the large mosques of Indian Moslem merchants. In the west districts, lower Shire, Ruo, central Shire, Lilongwe, Fort Manning, the Moslem population does not total more than 732. In the districts round Fort Johnston and Kotakota, the Moslems are one-ninth of the total population, while in Zomba district they number one-fifth.[4]

The Yao pagan religion was a form of ancestor worship. Apart from diviners and medicine men, there was no regular priestly profession. Intercession with the ancestors was performed by the chief, on behalf of the chiefdom, by the headman on behalf of the village, and by the head of the matrilineal kin for his dependents.[5] A man was qualified to approach his ancestors individually only if he had been initiated and had a house of his own.[6]

Some of the ritual duties of the chief have already been mentioned. When his people were visited by drought or epidemic, or when he fixed the day for the beginning of the millet harvest, he made an offering of flour and of beer poured into a pot in the ground at the grave of a dead chief. The village headman made similar offerings to the spirit of his dead predecessor. The spirits of the dead Nyanja chiefs, ousted by the Yao invasion, were regarded as still powerful in the homeland of their people. For instance, Kangomba, whose shrine was on Mount Soche, used to be appealed to for rain, and on the principle that the most appropriate mediator between a dead man and the living is a descendant of the former, the Yao chief, Kapeni, when he wished to propitiate

[1] Macdonald, 1882, vol. i, pp. 177–9; Stannus, 2, 1923, p. 280.
[2] Codrington, 1898, p. 516; see also Maples, 3, 1893.
[3] Young, T. C., 4, 1932, p. 37.
[4] Hetherwick, 4, 1927, p. 127.
[5] Werner, 1906, p. 270; Stannus, 4, 1922, p. 311.
[6] Macdonald, 1882, vol. i, p. 63.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 hut of one of Meya's wives. Meya's sister wrote a letter to tell him
558 of this and he replied that he could do nothing until he returned.
837 In 1946, Meya returned to be demobilized. The third night after his
166 return he questioned his wives about their fidelity during his absence. They at first held out against him but before long he intimidated them into admitting that they had slept with the village headman. Meya now went to complain to Mapata, who was Cikumba's perpetual mother's brother, and he said that he would come to the village the next day.

When Mapata came he confronted Cikumba with the accusation. Cikumba denied it until Mapata called the women. When they confessed Cikumba was forced to admit his guilt. Mapata now decided to call in an arbitrator, Isa, an important but unrelated headman who lived close at hand. Isa said he would come the following day when the matter could be thrashed out. When Isa and Mapata came they asked the women about the affair in public. They admitted the charge and Cikumba did not deny it. Isa then remonstrated with him for being a bad man and said that he was ashamed to hear about it. Cikumba had to pay £6 10s. to the injured man, Meya, who, however, refused to take it. He argued that Cikumba ought to have behaved as a father to him. But Cikumba had not. He, Meya, could not remain living in the village because his wives would be as Cikumba's wives. Isa said that he could not object because Cikumba had caused the trouble and had broken the village himself. How could he complain? Meya took two-thirds of the huts in the village away with him.

The Headman as a Representative of a Corporate Group

622 The headman is not only responsible for keeping the peace
689 between the members of his village, but he is also supposed to control his members in their relationships with other villages. If members take corporate action against other villages, even if they do so without the consent of the headman, the chief will consider the village headman responsible. This was brought out clearly in the relationships between Cikoja, Mapata and Masimbo in Chiwalo's section.

622 Cikoja and Mapata are two of the more important headmen in
689 Chiwalo's section. Masimbo is a minor village headman who lives
●423 in Mapata's village area. The quarrel arose over the question of
224 fishing rights in a small pool lying between the two main villages. This pool was excavated by Cikoja and his villagers in 1924 during

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

a severe drought, and he claimed the rights over it. One day in 1930, some boys from Mapata village came down to the pool with fish-poison. At about noon some boys from Cikoja's village arrived with their traps. When they saw the Mapata boys using fish-poison they told them to desist and tried to take away the fish. This led to a fight in which knives were drawn. One of Cikoja's boys ran back to tell him, and in anger he came down to the pool with some adults. The Mapata boys now ran back to Masimbo who immediately assembled some men and came to the assistance of the Mapata boys. The two groups joined battle immediately and there were casualties on both sides. Mapata heard about this and came running down to separate them.

The next morning they took the dispute to Chiwalo. He started by asking why Mapata had used fish-poison in someone else's pool without permission. Mapata replied that he did not know that his boys had gone down there. He said that Masimbo had told him about the conflict and that he had gone down to stop it. He was not aware of it before. Chiwalo now turned to Masimbo and said, 'Masimbo, you are in the wrong. You have caused the children to suffer. You went to make war because of your children. The people of Mapata, they are in the wrong because they did not report to the owner of the pool.'

When Cikoja was asked if he had anything to say he only replied that he was ashamed of what had happened because he was the first in the area, and until then they had been friends. The conflict had arisen because the children had done something which they did not know was wrong.

Chiwalo ordered Masimbo to pay 5*s.* and Mapata 6*s.* to Cikoja. He then told Cikoja that he should brew some beer and share it with the other two villages so that friendship might be restored and the children might go from village to village without fear. The chief's instructions were carried out and normal amicable relationships were re-established.

The way in which the villages acted as corporate groups is well illustrated by this incident. The responsibility of the village headmen for the activity of their members also emerges. The chief found Masimbo in the wrong for causing the fight, but he also fined Mapata because his boys had used fish-poison. The fines were paid by the village headmen, Masimbo and Mapata, to the village headman Cikoja, for they are the representatives of the corporate groups under them.

In no other field of village relationships is the corporate

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

621 identity of villages more clearly seen than in the arguments that
423 arise over rights over waterholes. These are usually dug next to a stream or a marsh, or in some other place where the water will percolate into them. The physical labour of digging a waterhole establishes the rights to it, and a village retains these rights if at some time in the past any of its members had dug it.

621 In normal years, and of course during the rainy season, there
423 is enough water for all and no friction arises, but in drought
685 years difficulties arise. Friction between Nampeya and Cikuwita arose in this way in 1933.
622

During the dry season the waterholes that were normally used were drying up and the people of Nampeya decided to open up a disused one. When Cikuwita's people saw Nampeya's people using it they came to use it too. Nampeya's women saw this and told the other people they had no right to use the waterhole. Words passed between them and eventually there was a tussle between the two groups, during which a waterjar of one of Cikuwita's women was broken. Cikuwita's women said they would take the case up to Ntibwilibwi, a headman of local importance, and when they returned to their village they complained to their headman who took the complaint to Ntibwilibwi. He sent a message to Nampeya to arrange a date on which the dispute might be settled. On that day the members of the two villages gathered at Ntibwilibwi's hut. The dispute was settled amicably: the person who broke the waterjar was ordered to take a chicken and give it to the owner of the jar, and Cikuwita was told to gather his people the next day and make them dig a waterhole of their own.

The villagers in each of these situations had acted with regard to their fellows primarily as members of villages. They had seen themselves as members of corporate groups and had interacted as such. In the dispute in which the jar was broken, the individual responsibility was fixed and compensation awarded, but at the same time the village headman was instructed on behalf of his villagers to make a new well and thereby ensure peace in the future. In all these disputes, however, the headman had appeared as the responsible representative of his village.

567 **Slavery.** Slaves were acquired by capture or purchase, or were received as payment. Prisoners taken by the vassals of one chief in a fight with the partisans of another chief became slaves. Slave raids were also made by the Wayao upon the weaker Anyanja or again expeditions were sent out hundreds of miles away into the Chipeta country to buy slaves.

[423] Slaves were a man's goods and chattels, to do with mainly as he pleased, but no man might kill a slave without bringing the case before his chief and obtaining consent. While some were bought and sold and sometimes found their way into a slave caravan bound for the coast, many, perhaps the majority, lived the life of ordinary individuals in the villages. A man who was unhappy in a village and wished to escape from his vassaldom might run away to another village and there commit some act so that he might be claimed as a slave. The custom was to go to the village and sit by the site of a house which had been pulled down after the death of the occupant, and the saying is, "He has been called by the dead man's spirit."

[554] Many a slave has become an important man in the village and slaves were often the trusted advisers of their chief, but there was no means of becoming a freeman. Neither a slave himself nor a second party could purchase his freedom. A slave capturing another man in warfare, for instance, could not ask for his own freedom in exchange for his captive, but anyone so taken became, in a way, the slave of a slave, and the master could not sell the second slave without the permission of the slave captor. An old slave might often be allowed to do just as he pleased and to all intents and purposes was a free man, but he was never actually freed. A slave might earn a return for work done for others than his master; part of this he would probably give to his master, but there was no regular tax upon such earnings.

The idea in accumulating slaves seems to have been to increase the population of the villages and hence their power and prosperity. This is borne out by the fact that marriage [582] between free men and slaves was allowed. Marriage between a free man and a slave woman was unaccompanied by any ceremony and was therefore rather in the nature of recognised concubinage. Such a wife, if unsatisfactory, could be sold out of the village, but generally she was well treated. The children of two slaves were of course born into slavery; the children of a slave woman by a freeman husband, were not quite emancipated, as the father could not remove the child from the village of the slave mother's master, and in very extreme cases, it might be sold by him.

Women might marry slave husbands and often a master married his daughters to his slave men whom he thought well of. This amounted to a guarantee to the slave that he [421] would never be parted with. A woman with a slave husband could not leave him informally; she could not sell him, inasmuch as women have no property.

GB 423 **Land Ownership.** The ownership of all land was vested in the chief, but he appeared to hold it in surety for all the people over which he ruled. Headmen had no land rights.

3: Stannus D-5 (ca. 1912) 1922 FT7 Yao FT7

There has never been any shortage of land and therefore the plotting out of gardens was a matter which caused little trouble. A man wishing to make a new garden the next season simply marked the site in the bush by scoring some trees or hoeing around some patches of grass and tying the grass ends into a knot. If anyone else came along and hoed this plot, the man who had marked it out still claimed it and need not pay for the hoeing done. Whenever a man was doubtful about a piece of land, he would ask advice of the headman of the village.

When an abandoned garden had become overgrown, anyone wishing to take it up applied to the headman who sent him to ask the original owners whether they wished to take it up again. The newcomer could take possession only with their permission.

Often if a village were moved during the first season the people simply put up shelters in their gardens. Later, the site of the village was chosen and around it a medicine man sprinkled medicine to insure happiness and prosperity. The tree from which this medicine was made became sacred to the village and might not be used for firewood, or was subject to any other taboo the medicine man might care to make. He might also say, "In this village there shall be no pounding of grain at night," etc.

If a village were to be built near a spot previously inhabited, medicine and offerings were made to the departed spirits of the former occupants to put them at rest and "open" the place to the newcomers. The beer-pot from the grave of some former chief or headman, who was supposed to have directed the destinies of the old village, was brought to the new location and beer placed in it to insure his continued guidance.

In the case of a village into which a number of men had married, the sponsors of the wives went to the sponsors of the husbands and asked permission to move the village.[1] Later, beer was brewed in the new village and the sponsors invited to come and drink and "put foot in the new village."

Relationship. Family relationship among natives presents certain difficulties to the European accustomed to equivalent relationship of males and females on both sides of the family. In the diagram below (Fig. 1) the relationship of the two children (C 5) will be traced. The mother and father (B 10 and 9) are the *achikulu* and *wase* but are addressed as *amao* and *atati*. The maternal uncles older and younger than the mother (B 11 and 15) are called *akwelume* and their wives (B 12 and 16) *akuppue*. The maternal aunts are addressed as *amao*, mother, anyone older than the mother being distinguished as *amao wakulungwe*, "the bigger" (B 13), a younger aunt as *amao wanandi*, "the lesser" (B 17); their respective husbands are addressed *atati*, *atati wakulungwe* (B 14), and *atati wanandi* (B 18). On the father's side the uncles are called *atati wakulungwe* (B 1) and *atati wanandi* (B 5), respectively, for those older and younger than the father, and their wives *amao wakulungwe* (B 2) and *amao wanandi* (B 6). The paternal aunts are called *atati wakuppue* (female uncles) (B 3 and 7), their husbands (B 4 and 8) *atati*.

[1] Vide supra, p. 280.

4: Stannus D-5 (ca. 1909)1910 FT7 Yao FT7
Marayi FR4
Ngoni FR5

M Y 241 only implement used. Sowing is done after the first rains, about November; the harvest takes place in May to July. Gardens are at varying distances from the villages, depending partly on the soil becoming exhausted after years of cultivation. Boundaries are marked by leaving M Y [423] a line of uncultivated ground, sowing a line of a different crop, N [422] tying knots in the young crops at intervals, ditches, etc. In starting a new garden, woodland is often taken; the trees

FIG. 8.

are cut down, leaving stumps 3 feet high; the undergrowth is cleared away and burnt, the ashes distributed over the land, which is then hoed, really very superficially; the earth is then made up into little heaps with a central hole in each, after the first rains four or five grains of the cereal (maize, millet) are dropped in each and covered with earth; as the young shoots grow the hole is more and more filled in.

With the cereal is planted the seed of peas, beans, pumpkins, the former on coming up then grow up the maize stalks. The seed is last year's product and not specially selected.

M Y [343] [417] Depredations among crops made by elephant, hippopotamus, large antelope (eland and kudu), pigs and baboons, vary in extent in different districts. Little grass huts are built, raised above the ground like a pile-dwelling, in which watchers are stationed. Fences, sometimes extending for miles, are built. The gardens of the chief are hoed by his slaves or the people of the village. Maize is collected M Y [251] in the cob, and after the outer coverings have been removed is stored; so is the *nkuhwe*, millet in the head; beans and peas are stored in baskets. Medicine is put on the ground to ensure a good crop, and a piece of stick is sometimes hung up for good luck.

CATTLE, ETC.

N 231 [422] The keeping of cattle is practically restricted to certain tribes living in districts free from tsetse-fly (Angoni, Wankonde); among these people wealth is reckoned by cattle. The milk is little used; the flesh is eaten only when an animal dies. Marks of ownership are made by cutting the ears (*Fig.* 8). Cattle are kept in open kraals by Angoni, in a compartment of their houses by Wankonde; they are tended by the small boys as a rule. Goats and sheep are kept all over the country. Castration of cattle is a recognised practice (*bufula*).

N 281 Angoni make their shields from cattle skins; their spear handles are covered with goat hair (beard); hair anklets and armlets in dancing costume are made from goat hair. Skins are used as dress to a small extent.

HUNTING.

M 224 A man intimates to the community around that he is making a hunt by clothing a boy of about ten years in leaves, who precedes him and the men from his own village through adjacent villages; at each village the lad has to lie down and